

JOHN C. BROWN (CA Bar No. 195804)
Redenbacher & Brown, LLP
580 California Street, Suite 1600
San Francisco, California 94104
Phone: (415) 409-8600
Facsimile: (415) 520-0141
Email: jbrown@redbrownlaw.com

Attorneys for Defendant, EMCORE CORP.

MICHAEL S. SIMON (CA Bar No. 144038)
michael.simon@akerman.com
JULIE M. MCGOLDRICK (CA Bar No. 234741)
julie.mcgoldrick@akerman.com
Akerman Senterfitt LLP
725 South Figueroa Street, 38th Floor
Los Angeles, CA 90017-5438
Telephone: (213) 688-9500
Facsimile: (213) 627-6342

JEROLD I. SCHNEIDER (FL Bar No. 26975) (appearing *pro hac vice*)
jerold.schneider@novakdruce.com
JOHN C. VETTER (NY Bar No. 2578011) (appearing *pro hac vice*)
john.vetter@novakdruce.com
Novak Druce + Quigg LLP
525 Okeechobee Boulevard, 15th Floor
West Palm Beach, FL 33401-6349
Telephone: (561) 838-5229
Facsimile: (561) 838-5578

Attorneys for Plaintiffs, AVAGO TECHNOLOGIES FIBER IP (SINGAPORE)
PTE. LTD and AVAGO TECHNOLOGIES GENERAL IP (SINGAPORE)
PTE. LTD

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

AVAGO TECHNOLOGIES FIBER IP
(SINGAPORE) PTE. LTD., *et al.*,

Plaintiffs,

vs.

EMCORE CORP., *et al.*,

Defendant.

Case No.: C 08-5394 SI

**[PROPOSED] ORDER STAYING
ACTION PURSUANT TO 28 U.S.C.
§1659**

Judge: The Hon. Susan Illston
Case Filed: December 1, 2008

Based on the parties' Stipulation Requesting Stay of Action Pursuant to 28 U.S.C.

1 §1659, the Court finds as follows:

2 This proceeding involves the same issues and same parties as a proceeding before the
3 United States International Trade Commission (“ITC”), and because Defendant Emcore Corp.
4 (“Emcore”), a respondent in the ITC proceeding, has requested a stay of this action until the
5 determination of the ITC becomes final, and because Plaintiffs Avago Technologies Fiber IP
6 (Singapore) Pte. Ltd. and Avago Technologies General IP (Singapore) Pte. Ltd. stipulate to
7 Emcore’s request, the request to stay action pursuant to 28 U.S.C. §1659 is GRANTED, and this
8 action against Emcore is hereby stayed pending a final determination of the ITC regarding the
9 issues involving Emcore in the proceeding before it.

10
11 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

12
13 Dated: _____



14 THE HON. SUSAN ILLSTON